



Dkt. 72157 CCD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bruce Joseph MALINER et al.

Serial No.: 10/802,346

Group Art Unit 3611

Filed : March 17, 2004

Examiner C. H. Davis

For : CONTAINER LABEL WITH TEAR-OFF PART

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

1185 Ave. of the Americas
New York, N.Y. 10036
October 5, 2005

Commissioner for Patents
P.O. Box 1450,
Alexandria, VA 22313-1450

S I R:

In response to the Office Action dated July 6, 2005, requiring an election of species for prosecution on the merits in the above-identified application, applicants hereby elect the species of Group 2, drawn to Figure 7.

This election is made without traverse, but without prejudice to the prosecution of claims to the nonelected species in the present application (if a generic claim is found allowable) or in a divisional application.

Claims readable on the elected species are claims 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25. Of these, claims 1 - 4 and 8 - 24 are generic to both species; claims 6, 7 and 25 are specific to the elected species.

Respectfully,

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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

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Date: OCT. 5, 2005